

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JUAN CUEVAS,

No. C -12-05916 CRB (EDL)

Plaintiff,

**ORDER FOLLOWING FEBRUARY 11,
2014 DISCOVERY HEARING**

v.

SKY WEST AIRLINES,

Defendant.

On February 11, 2014, the Court held a hearing on the parties' discovery motions: Plaintiff's Motion to Compel Privilege Log; Plaintiff's Motion to Compel Defendant to Withdraw Objections to Production of Subpoenaed Documents; Defendant's Motion to Compel Responses to Discovery; Defendant's Motion to Compel Response to Third Party Subpoena of Hedi Framm-Anton; and Defendant's Motion to Compel John Constantino's Responses to Deposition Questions. For the reasons stated at the hearing, the Court issues the following Order.

Plaintiff's Motion to Compel Privilege Log is granted. Defendants shall provide Plaintiffs with a privilege log no later than February 19, 2014. In addition, by the same date, Defendants shall also provide a declaration from the person(s) most knowledgeable regarding what documents were withheld regarding maintenance records and why those documents were withheld.

Plaintiff's Motion to Compel Defendant to Withdraw Objections is denied. This motion was improperly directed at Defendant and should have been directed at Cal/OSHA, which was the subject of the document subpoena and is withholding the photographs. See Fed. R. Civ. P. 45(d)(2)(B)(I).

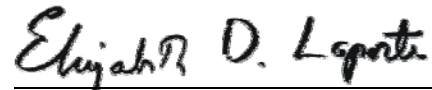
Defendant's Motion to Compel Plaintiff's Responses to Discovery is denied because at the hearing, Plaintiff clarified that he is not seeking severe emotional distress damages. However,

1 Plaintiff shall be subject to one further hour of deposition regarding other potential sources of
2 emotional distress relating to his employment with Defendant and his termination.

3 Defendant's Motion to Compel Response to Third Party Subpoena of Hedi Framm-Anton is
4 denied. Defendant's Motion to Compel John Constantino's Responses to Deposition Questions is
5 granted in part. Mr. Constantino is ordered to submit to up to two more hours of deposition on
6 issues relating to Plaintiff's work at Skywest, any problems Plaintiff had at work, and Plaintiff's
7 emotional distress while working there and since he was terminated. Mr. Constantino need not
8 answer irrelevant questions about his own background and work history.

9 **IT IS SO ORDERED.**

10 Dated: February 13, 2014



ELIZABETH D. LAPORTE
United States Chief Magistrate Judge